

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:09-cv-01330-EGS**

BRISTOL-MYERS SQUIBB COMPANY et al v.  
DOLL  
Assigned to: Judge Emmet G. Sullivan  
Member case: ([View Member Case](#))  
Cause: 35:145 Patent Infringement

Date Filed: 07/17/2009  
Jury Demand: None  
Nature of Suit: 890 Other Statutory  
Actions  
Jurisdiction: U.S. Government  
Defendant

Date Filed	#	Docket Text
06/23/2010		MINUTE ORDER. Upon consideration of the parties' proposals for further proceedings and responses to the Court's June 7, 2010 Order to Show Cause, it is hereby ORDERED that: 1) counts I-IV, VII-X, XII, XIV-XVI, and XXI of plaintiffs' amended complaint in Case. No. 09-cv-1330 and counts I-III and V of plaintiffs' complaint in Case No. 09-cv-2420 are REMANDED to the United States Patent and Trademark Office ("PTO") for recalculation and adjustment of the disputed patent term in accordance with the decision of the United States Court of Appeals for the Federal Circuit in Wyeth & Elan Pharma International Ltd. v. Kappos, 591 F.3d 1364 (Fed. Cir. 2010); and 2) counts I-IV, VII-X, XII, XIV-XVI, and XXI of plaintiffs' amended complaint in Case. No. 09-cv-1330 and counts I-III and V of plaintiffs' complaint in Case No. 09-cv-2420 are DISMISSED without prejudice, subject to a motion for reconsideration. In the event that the PTO does not recalculate each of the relevant patent term adjustments in the manner requested in plaintiffs' complaints, plaintiffs may file a motion for reconsideration of the Order dismissing those counts and need not file a new action in order to pursue further relief. Signed by Judge Emmet G. Sullivan on June 23, 2010. (lcegs2) (Entered: 06/23/2010)